DOCUMENT RESUME

ED 417 015 PS 026 318

AUTHOR Manville, David L.
TITLE A Proposed Parenting Plan for Never Married Parents.
PUB DATE 1997-11-00
NOTE 12p.; Paper presented at the Annual Conference of the NCFR Fatherhood and Motherhood in a Diverse and Changing World (59th, Arlington, VA, November 7-10, 1997).
PUB TYPE Opinion Papers (120) -- Speeches/Meeting Papers (150)
EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Child Rearing; Child Welfare; *Court Role; One Parent Family; Parent Role; Parenting Skills; *Parents; Program Descriptions; State Legislation
IDENTIFIERS Michigan; Program Characteristics; Single Parents; *Unmarried Parents

ABSTRACT

This paper proposes the establishment of legally oriented parent education programs for never married parents. The paper describes a multifaceted program designed to provide information to never married parents on the legal system, personal and parental responsibility and its associated impact on children. Co-parenting issues, resolving conflicts between parents and between parents and child are also discussed. Such programs for unmarried parents could help to prevent the problems associated with this population, such as increased risk of juvenile delinquency and emotional or behavioral problems. The report also describes recent Michigan legislation recognizing the importance of unwed fathers' involvement in their children's lives beyond paying child support. Legislation supports visitations by the father in order to promote a strong relationship with their children. The court procedures related to paternity cases and the Paternity Visitation Program are described, as are recommendations for similar programs, such as conducting an overview of court procedures and disseminating general information regarding the dynamics of never married parents, child development, and the impact of parents on their children. Finally, the paper describes characteristics of these proposed programs, including their frequency, number and characteristics of facilitators, material presented, location, program funding, certification, and evaluation procedures. (Contains 25 references.) (KB)

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A PROPOSED PARENTING PLAN FOR NEVER MARRIED PARENTS

David L. Manville ACSW/LMFT

This article focuses on the need for creative parenting plans for children of never married parents. It is widely recognized, for those professionals who deal with this population, that the family dynamics vary considerably. Our experience in the Paternity Visitation Program at the Third Judicial Circuit has been that some parents are parents because of a short, intense physical relationship that produced a child. These parents have not had a relationship to speak of; rather their history is virtually nonexistent. Others have had a long-term relationship that may include numerous children.

The statistics that we are continually bombarded with are staggering. Overall, more than 75% of American children are at risk because of a paternal deprivation (Biller) Fifty-seven percent of unwed fathers with children, no older than two years of age, visited their children more than once a week, however, only 23% were in frequent contact with their fathers at age two ½ years or older(Lerman) Results from a report of the Wisconsin Department of Health and Human Services, Division of Youth Services indicates that the vast majority of official juvenile delinquents in Wisconsin are either illegitimate or the product of broken homes.....44% have parents who were never married Children who exhibited violent behavior in school were eleven times as likely not to live with their fathers and six times as likely to have parents who were not married (Sheline, Skipper and Broadhead). Children of never married mothers are more than twice as likely to have been treated for an emotional or behavioral problem (National Center for Health Statistics). The United States is now the world's leader in fatherless families (Burns). One million teenage women-12% of all women aged 15-19 become pregnant each year. Of these women, 70% are unmarried (Allen Guttmacher Institute). The oft quoted national statistics are that one of every four children born is born to an unmarried parent (United States Department of Commerce): there are three million children of unwed parents in the United States and only 1/3 of these cases have had Paternity established. In Michigan, the most critical factors that disproportionately affect children in single parent homes include: low income, lack of parental guidance.... Parental involvement weakens because one parent has less time and authority than two, and instability in income and housing among single parent families can diminish the parental role Kids Count). Every day in Michigan, eighteen teenage mothers (ages 15-17) give birth, ten youth (ages 10-17) are arrested for a violent index crime and sixty children are confirmed as victims of abuse or neglect Kids Count) The percentage of children born outside of marriage has increased dramatically, from 5% in 1960 to 30% in 1994. In 1993, the rate for births to unmarried mothers in Detroit was 71%, the highest in the nation (National Center for Health Statistics).

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The interest in never married parents has escalated in the previous decade. Research has demonstrated that there are serious long term implications for children raised in a single parent home that does not have paternal influence or interaction. One in five children in female headed families had not seen their fathers for five years National Commission on Children); Former United States Attorney General William Barr (1994) stated that the absence of the father in the home is the one factor that most closely relates with crime; not poverty, not employment and not education; 70% of the juveniles in state reform institutions grew up in a single or no parent situation Beck, Kline & Greenfield); 29.9% of children living with a never married mother have repeated a grade in school compared to 11.6% of children living with both biological parents (Dawson) and; fatherless children are at a dramatically greater risk of suicide (Survey On Children's Health). In 1994, 55.2% of all children under the age of six living with their single parent mother lived below the poverty level Bureau of the Census)

The intent of this innovative program is to provide education to never married parents regarding the impact of their life situation upon their children. As the above statistics indicate, children of this population have difficult futures ahead of them unless the significance of both parents being partners in raising the child can be concisely indicated to them. We are well aware that if there are two parents involved in a child's life, the financial ability to care for their needs, the emotional well-being of the parents and the ability to share time with the child is strengthened and enhanced. A program such as this will be multifaceted, including information on the legal system, personal and parental responsibility and the associated impact upon children. Issues of co-parenting, how to resolve conflicts between parents and parental conflicts with the child will be addressed. The anticipated outcome of this program would be the cooperative ability of never married parents to parent together in the best interest of their child.

THE NEED FOR COURTS TO PROMOTE PARENT EDUCATION PROGRAMS FOR UNWED PARENTS

Court rules and even legislative action is requiring parents to attend educational programs (11). While court personnel are well aware of the difficulties associated with families experiencing the divorce and separation trauma, there has been limited data collected on the issue of paternity and its after effects. There are numerous articles and books related to teenage mothers and fathers; however, the broad issue of paternity has only recently been a focus of researchers (Card, Lerman & Ooms, McLanahan & Sandfeur and Kimbrell). For example, the Office of Child Support in Michigan recently released a video concerning adolescent unwed parents that is geared to be utilized in High Schools (Michigan Department of Social Services). Additionally, there is very little available information on programs specifically designed for the never married parents. While separated and divorced parent education programs can be utilized in certain specific ways for the never married parents, their relationship history is so varied that these programs do not necessarily provide adequate and appropriate information for the never married parent.

The utilization of a parent education program for never married parents should be viewed as a preventive approach to counteract the various problems associated with this population. The potential exists for the never married parent education program to be also utilized in the school setting, perhaps with a component to focus on the educational aspect and consequences for both unmarried mothers and fathers. The correlation between poverty, early childbearing and school failure is quite high (Family and Citizenship). The American Bar Association contends that "states and localities should establish programs that will help teenage parents become self-sufficient (America's Children At Risk)

Because of the complex dynamics involved in never married families, it is conceivable that becoming more educated to the importance of both parents participation in rearing a child would then be able to resolve some of these conflicts. The American Bar Association, in its Introduction to America's Children At Risk concisely declares that "We believe that the streets of America's inner cities and rural counties are filled with youngsters who could break through to a better life if somebody only gave them a chance. Such opportunities must be provided by society as a whole, by social institutions and by individuals who have the power to see beyond stereotypes and the moral fortitude to help children on their way. In short, each of us has a role to play. Children given the opportunity to pursue their dreams and achieve their potential will repay society a hundredfold by their achievements (

A GOOD BEGINNING

The Third Judicial Circuit of Michigan, Wayne County Friend of the Court has recognized the importance of unwed fathers being involved in their children's lives that extends beyond the issue of child support. In July 1986, then Chief Judge, Richard C. Kaufman decreed:

> *"If a noncustodial parent in a paternity case requested visitation, the matter was to be referred to the Family Counseling and Mediation Department for a recommendation prior to any determination by the Court as to visitation."*
> *He noted that "visitation is discretionary, not mandatory. In making this recommendation, the recommender is to consider whether reasonable visitation is justified and in the best interest of the children."*
> *(1) On application of either party, the Court, in its Order of Filiation may provide for such reasonable visitation by the non-custodial parent as the Court deems justified and in the best interest of the child;*
> *(2) Absent an application by either party, the right of reasonable visitation is reserved (Michigan Court Rule 3.212 (E) (1) and (2)*

On December 24, 1994, Michigan's Governor John Engler approved and signed Enroll Bill No. 4916 (Public Act 388) that amended the previous Act. This was entitled "An Act to confer upon Circuit Courts jurisdiction over the proceedings to compel and provide support of children born out-of-wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the

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enforcement thereof.... Section 7b states that:

> *"If the Court makes a determination of paternity and there is no dispute regarding custody, the Court shall include in the Order of Filiation specific provisions for the custody and visitation of the child as provided for in the Child Custody Act of 1970. If there is a dispute between the parties concerning custody or visitation, the Court shall immediately enter an order that temporarily establishes custody or visitation of the child. Pending a hearing or other resolution of the dispute, the Court may also refer the matter to the Friend of the Court for a report and recommendation as provided in.... In a dispute regarding custody or visitation, the prosecuting attorney, an attorney appointed by the County or an attorney appointed by the Court shall not be required to represent either party regarding that dispute."*

The Third Judicial Circuit has placed the following in the Order of Filiation: *"The father is to have visitation that is agreed upon by the parties."* The Child Custody statute (Michigan Child Custody Act (MSA 25.312, MCL 722.23) and the Friend of the Court Act (MSA 25.176, MCL 552.501) includes a legal presumption that the best interest of the child, respecting visitation, is having a strong parental relationship with both parents). The statute states that *"visitation shall be granted to a parent in a frequency, duration and type reasonably calculated to promote a strong relationship."* This Courts strong belief has been that visitation rights effects what is thought to be a precious relationship both for the child and the parent receiving access.

The initial interaction with our Court concerning paternity cases is usually an action began by the State to establish paternity and begin child support collection. As noted above, if either party raises the issue of parental access to the child, the matter is referred to the Family Counseling Department. A procedure has been established since 1989 wherein all cases are assigned to a block program on an afternoon. The procedure is as follows

1. Verification that there is a referral to the Family Counseling Department.
2. In cases where there is an issue of child custody, the case is assigned to a Social Worker as part of their regular caseload
3. Case names, case number, Order of Filiation date and whether the child has fathers last name is placed on a master list
4. Appointment letters are then mailed to both parties to appear together at the office to discuss the issue of visitation with a Social Worker. Currently, twenty-one appointments are scheduled on an afternoon.
5. There is a notice on all appointment letters that inform the parents that *if they have an agreement already reached regarding visitation, they are to send the details to our office with both parties' signatures.* These agreements will then be forwarded to the Court for establishment of an order.
6. Both parties are expected to appear. If only one parent does appear and there has been no contact to our office from the other parent, the session is held with only one parent. The recommendation to the Court is then submitted.
7. When both parents appear, an attempt is made by the Social Worker to mediate an agreement between the parties. As can be expected from the unwed parent

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population, the degrees of a relationship varies. Besides the economical advantage of having both parties appear together, a joint interview is more likely to aid the Social Worker in quickly establishing areas of agreement or areas of dissension. It has been possible to rapidly resolve areas of concern and have an agreement reached by the parents. Be forewarned, however, that in "stipulated" agreements, that while both common sense and statute dictates that we promote agreements, there is a difference between agreements that evolve out of open discussions and those that occur out of pressure and/or coercion. An agreement is only genuine and likely to be followed by both parties when it truly reflects the vision of both sides and accommodates both parents' interests. "Muscle mediation" is discouraged due to the fact that while it may appear to solve the immediate disagreements in front of you, it usually breaks down within a short time period.

9. With parents where the relationship was brief, significantly more time has to be utilized to establish a sense of safety for the child. In these cases, a "stepping stone" approach for access is usually submitted to the Court. This approach to parenting time would be similar to beginning with two hours per week supervised; advancing to two hours per week unsupervised; advancing to 2 to 4 hours unsupervised and continuing on this step util overnights and expanded holidays are in place.
10. With parents that have had a form of a relationship that has history, the interaction is usually not as intense as with brief relationships. Usually, a more conscious effort has been made by these parents to establish relationships.
11. In all cases, we at least attempt to have the parties reach an agreement on whatever is possible.
12. If the parties are unable to agree upon the issue of visitation, then the evaluator submits a recommendation based upon their judgement in what is in this child's best interest.
13. The recommendations to the Court can include substance abuse evaluations, supervised visitation at some third parties home or an agency, individual and/or joint counseling, parent-child counseling, psychological evaluations, parenting education classes for either parent or both, etc.

Recent preliminary research by this author that relates to the potential correlation between an increase in child support payments and fathers with a visitation order and a decline in child support payments without a visitation order is promising. The findings could assist this Court and others with understanding that a similar program could be encouraging. In viewing the computer records of fathers' payments to the Court, those fathers with a visitation order had submitted payments in excess of $1.6 million, with an arrearage of slightly more than $1 million. Fathers without a visitation order had made payments of almost $1.1 million and had arrearage of nearly $1.3 million(26). Never married parent education programs can be essential to Courts that have either limited budgets, minimal personnel, or access to various professional resources in their immediate area. Costs could be minimized through a variation of this program. Additionally, if the above preliminary research is accurate, a parent that becomes involved with their child will develop a sense of responsibility that flows beyond being "just a check."

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FUTURE DEVELOPMENT OF PARENT EDUCATION PROGRAMS FOR PARENTS WHO WERE NEVER MARRIED

While the Paternity Visitation Program at the Third Circuit has been an innovative, worthwhile and futuristic undertaking, there is a need for a further expansion of the services offered to parents who were never married. The Court must be a leader in encouraging parents to assume responsibility for their children, beyond paying the necessary support. One of the primary messages proclaimed at the recent Million Man March in our nation's Capitol was that Black men had to re-assume responsibility for their families and children. The Promise Keepers sold out attendance at virtually every arena they visited and the proclamation was similar: assume responsibility for what you do and for whom you are. Any Never Married Parent Education Program established has to offer a wide variety of information to the unmarried parents so that they can again resume responsibility and this could include the following:

An overview of Court procedures and the explanation of the Court's involvement in these parents' lives is essential. The legal aspect of paternity, the Court's functional role in assisting the parents with specific issues and information on child support, parenting time arrangements and legal/physical custody are important issues that can be addressed. The objective of this information sharing is to assist the parents in understanding a complex and bewildering Court system, being able to attempt resolution of their conflicts prior to involving the Court, reduce their complaints to the Court, and assist them with making informed decisions related to custody and parenting time issues. Salem et al (1996) advance the concept of having a legal component within a parent education program that assists the parties in reducing parents' anxiety about the legal system (Salem, Schepard and Schissel).

The dissemination of general information regarding the dynamics of never married parents that would include the parents responsibilities and rights related to their children, the dynamics of the interplay between different forms of families (e.g., married, new significant others and grandparents). Parents would also process information related to gaining parenting skills, learn techniques to improve their own communication and enable the parents to understand the social, emotional and behavioral components of their situation.

General information of the effects upon children would include the educating the parent on the differing responses from their children based upon their emotional maturity and age, the appropriateness of ensuring their children's safety, the necessity of maintaining their child's emotional well-being and self-esteem and the importance of both parent's cooperation to establish positive academic and social well-being. The importance of establishing a workable parenting schedule to reduce the children's confusion and increase their sense of stability would also be a focal issue.

PROGRAM CHARACTERISTICS

The parenting program would be held once per month for approximately two an one-half hours. Due to the amount of material covered and time constraints, individual responses will be minimized. Due to the material covered, the length of time of the meeting and child care facilities not readily available, children have to be excluded.

Two or three of the facilitators noted below would need to be present at each meeting: a member of the Bench (Judge ore Referee), an attorney (either Court or private), a Court Social Worker, a Domestic Relations Specialist (#) or a local mental health professional. Facilitators should be both genders.

The material utilized would be a combination of: presentation by the facilitators, a workbook or program manual, additional handouts related to specific subjects, a reference or reading list, a Court description book outlying the Courts procedures and information, Domestic violence information and an Unmarried Parent video tape (Oakland County Friend of the Court, with assistance from Wayne County Friend of the Court is developing a video, similar to the SMILE (divorce education), for Paternity parents).

Information letters would be sent out by the Court upon the filing of a paternity action. Participation in the program would be required prior to a never married parent receiving an initial referral to the Family Counseling Department regarding parenting time. Proposed legislation that would require or permit states to mandate educational programs occurred in at least five states in 1995 (28). In any future litigation, it would be the Bench's discretion of mandating attendance, or, upon the presiding Judge/Referee's discretion, the parties would not be required to attend. Never less, both parents will be strongly encouraged to attend. With almost ten thousand Paternity cases initiated in Wayne County each year, the assumption is that attendance will be reasonably large. Parents who are experiencing difficult relationships should be able to attend with limited interaction. Due to existing Personal Protection Orders or Restraining Orders, parents will be provided information that indicates when they would prefer to attend the Program. Information letters will be sent to local mental health agencies, junior high and high schools and other community agency agencies with an interest in this population. Additional mailings will be sent to all local professionals and business groups.

A suitable location would have to be established for use. Churches in the metropolitan area will be checked for usage of space. School buildings will also be considered.

Funding for the Program can be assessed through any of the following: a minimal fee of $2.00 be charged to each parent/participant, a minimal fee could be legislated into the Paternity Order to cover costs, donations or grants to be raised form outside resources or, funding from groups for a pilot program. The Skillman Foundation, the Kellogg Foundation or the United Fund may be resources.

Certification will be developed for presentation to the parents at the end of the session indicating their completion of the program.

Domestic Relations Specialist in the Third Judicial Circuit have a working knowledge of child support guidelines and other financial considerations

EVALUATION COMPONENT

At the end of each session, parents will be requested to fill out the evaluation sheets provided to ascertain the usefulness of the course material, the relevancy of the material and the ability of the facilitators to convey the material. These evaluations will be reviewed by ongoing facilitators
on a monthly basis. On a quarterly basis, evaluation results will be submitted to the Bench and interested/authorizing personnel/funding sources for their review (e.g., United Fund). On a yearly basis, complete assessment based upon evaluation responses will be submitted to the interested parties. Other professionals involved in developing the Program will be provided initial information on the program for evaluation and input on Program development will be solicited.

Re-litigation after attendance at the program would be tracked as well as compliance with the parenting time schedule.

Another important evaluation procedure may be the encouraged usage of peer groups for the fathers involved in this Never Married Parent Education Program. Fathers would be encouraged to meet as a support and peer group to continue the sharing of information and self education process that was began with the initial one time session. Session facilitators could initially be local mental health professionals and/or fathers that have been successful at being involved in their children's lives. These fathers could be the group's mentors.

CONCLUSION

This proposed program is intended for consideration as the first movement toward a greater understanding of the never married population and a means to assist them in parenting their children. The utilization of various other parenting education programs related to divorced or separated parents could most likely be adapted, in part, for this population. The primary focus has to be on the parent's acceptance of responsibility for their children, their learning new skills, receiving viable information that "fits" their needs, and developing new manners of communication so that their children are not adversely affected.

(David is a Family Counselor/Social Worker at the Family Counseling and Mediation Department, Wayne County Friend of the Court, Third Judicial Circuit of Michigan, Detroit, MI. He is a member of the National Association of Social Workers and is the Special Liason between the Wayne County Friend of the Court and the Wayne County Task Force on Father Absence, where he is co-chair of the Teenage Pregnancy Committee. A sincere acknowledgement has to be expressed to former Social Work Interns Diane Banks, Cheryl Moskal and Michelle Brashaw-Bussineau for their initial contribution to the issue of Paternity. The opinions expressed in this article are soley the author's and may not represent the view of the Court)

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A "Stepping Stone" approach to parenting time would be similar to: beginning with two hours per week supervised, advancing to two hours per week unsupervised for a set time advancing to an all day visit and finally expanding to overnights, if applicable.

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